IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 54 OF 2003.

Mr. Anand S. Lad,
son of late Mr. Sitakant Lad,
major, married, businessman,
residing at Yasmin Manzil,
Dr. Dada Vaidya Road,
Panaji, Goa. ... Petitioner.

VERSUS

1. Miss Amira Abdul Razaak,
   major, spinster,
   Advocate by profession,
   residing at Mubarad Manzil,
   Aquem, Alto-Margao, Goa.

2. Ms. Farah Abdul Razaak,
   residing at Mubarak Manzil,
   Aquem, Alto-Margao, Goa.

3. Ms. Sadia Razaak,
   residing at Mubarak Manzil,
   Aquem, Alto-Margao, Goa.

4. The Rent Controller (HQ),
   Office of the Collector,
   Panaji, Goa.

5. Administrative Tribunal Goa,
   Church View Building,
   Panaji, Goa. ... Respondents.

Mr. S.G. Dessai, Senior Advocate with Mr. S.D. Padiyar, Advocate for the Petitioner.

Ms. Amira Razaak, Respondent No.1/Advocate in person.

CORAM: D. G. DESHPANDE, J.

DATE: 29TH JANUARY, 2003.

ORAL JUDGMENT:

Taken in chamber, as the matter is urgent.

2. Heard the Advocate for the Petitioner. Respondent No.1 is present in person. Both of them are heard.

3. Rule made returnable forthwith by consent.

4. This petition is filed against the Order of the Tribunal passed in revision against the Order of the Rent Controller, refusing to grant any adjournment to the petitioner/original respondent and closing the case of the original respondent for want of leading any evidence.

5. There is actually no merit in this case for interference. However, in the interest of justice and with a view to give an opportunity to the tenant to complete his evidence, the following order is passed :-

6. On payment of costs of Rs.10,000/- the impugned order is quashed and set aside. The costs to be paid on or before 6th February by the petitioner to the respondents. The petitioner to start and complete his evidence within one week thereafter i.e. on or before 14th February, 2003. In no case and on no ground either on account of illness or change of Advocate, etc. any adjournment will be asked for. The counsel for the petitioner has agreed to these terms. Payment of cost

is condition precedent.

7. The petition stands disposed of. Rule made absolute in the above terms.

8. Authenticated copy to be given to the respondent No.1.

9. Final arguments will not be heard today by the Rent Controller in view of the Order passed by this Court.

D. G. DESHPANDE, J.

sl.